

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



July 26, 1991

ALL COUNTY LETTER NO. 91-71

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: IMPLEMENTATION OF THE AFDC FEDERALLY MANDATED
EXEMPTIONS/ALIEN REGULATIONS

REFERENCE: MPP 40-010 Ineligible Alien Parent Income
MPP 42-213.5 - Property Exemptions
MPP 44-111.6 - Income Exclusions
MPP 44-113.14 - Income Deductions for Ineligible Alien
Children
MPP 44-133.3 - Excluded Person Income Computation
MPP 44-133.6 - Ineligible Alien Parent Income
ACL 85-19 and 85-59 - Darces v. Woods
ACL 91-62 and 91-68 Ceja et al. v. Carlson

This All County Letter provides implementation information regarding revisions to the AFDC regulations concerning Federally mandated income and property exemptions, income deductions for ineligible alien children and treatment of the income of ineligible alien parents (RDB #0691-26). The regulations are effective August 1, 1991. Please note that portions of these regulations have retroactive provisions. (See Attachment #2)

Attached are:

- o A draft copy of the revised regulations,
- o Implementation information, including a summary of the significant changes to the regulations and retroactive provisions, and
- o Notice of Action information.

If you have any questions regarding the income portion of the revised regulations, please call Jim Mullany of the Welfare Policy Implementation Bureau at (916) 445-7884 or ATSS 485-7884. If you have any questions regarding the property portion of the regulations, please call Marianne Grillo at (916) 323-8431 or ATSS 473-8431.

for Robert A. Horel
ROBERT A. HOREL
Deputy Director

Attachments

Adopt Section 40-010 to read:

40-010 IMPLEMENTATION OF REGULATIONS FOR THE TREATMENT OF
INELIGIBLE ALIEN PARENT INCOME

40-010

- .1 Sections 42-213.2e., r., and .5, et seq.; 44-111.3 b., et seq., d., e., g., h., i., p. and .6, et seq. as amended herein, shall become effective August 1, 1991.
- .2 Sections 44-113.14, .141, and .142; 44-133.33, .336, .6, .61, .611, .612, .62, .631, et seq. and .633 as amended herein, shall become effective August 1, 1991, and shall be implemented as follows:
 - .21 Beginning August 1, 1991, the CWDs shall implement the amended or adopted provisions for all new AFDC cases.

Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code.

Reference: Sections 10553 and 10554, Welfare and Institutions Code; 45 CFR 233.20(a)(3)(ii)(C); 45 CFR 233.20(a)(3)(vi)(B) and (xiv); 45 CFR 233.20(a)(4)(ii); and Darces v. Woods.

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Amend Section 42-213 to repeal Sections 42-213.2(e) and (r) and adopt Section 42-213.5 to read:

42-213 PROPERTY ITEMS TO BE EXCLUDED IN EVALUATING PROPERTY WHICH
MAY BE RETAINED (Continued)

42-213

- .1 Real Property to Be Excluded (Continued)
- .2 Personal Property to Be Excluded (Continued)

e. Federal Payments to Indians and Alaskan Natives

11) Payments received from the Federal Government under Public Law 90-307 shall be excluded from consideration as personal property when the total of nonexempt personal property, including such payments does not exceed \$2000 for each individual adult or minor recipient.

When such payments are converted into other property, the property shall be treated the same as the payments. However, if the property received through such a conversion is again converted, the property (real or personal) acquired is subject to the limitations on property contained in Chapter 42-200.

12) Payments received from the Federal Government under Public Law 92-234 shall be excluded from consideration.

13) Per capita payments distributed pursuant to any judgment of the Indian Claims Commission or the Court of Claims in favor of any Indian Tribe are exempt (Public Law 93-134).

14) Receipts derived from lands as specified in 44-11113b(3) are exempt as long as the monies are retained by the original recipient and are not commingled, and can be separately identified as a proportionate share of the recipient's property.

15) Alaskan Natives

Shares in stock and money payments made to Alaskan Natives under the Alaskan Native Claims Settlement Act are exempt as long as the payments of stock remain separately identifiable and not commingled with nonexempt resources. Any property obtained from stock investments under the Act is not exempt. [Reserved]
(Continued)

- r. The Earned Income Tax Credit (EITC) payments, whether received as an advance payment or as a single payment at the end of the tax year, shall be excluded for only the month of receipt. [Reserved]
(Continued)

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.3 (Continued)

.4 (Continued)

.5 Other property which is mandatorily and specifically exempt by federal law and shall be exempt from the effective date as specified in federal law.

HANDBOOK BEGINS HERE

.51 Property which is mandatorily exempt under federal law includes, but is not limited to:

.511 Public Law (PL) 92-254 or PL 94-540 which exempts any funds distributed per capita or held in trust for members of any Native American tribe under PL 92-254 or PL 94-540.

.512 PL 93-134, PL 97-458 and PL 98-64 which exempt as property the funds of Native American tribes including interest earned from, investment income derived from and initial purchases made with such funds when the funds are:

(a) Distributed per capita or held in trust as a result of a judgement awarded by the Indian Claims Commission or U.S. Court of Claims;

(b) Distributed by the Secretary of the Interior on a per capita basis or held in trust.

.513 PL 100-241 which exempts distributions to a household, individual Native or descendent of a Native when received from a Native Corporation established pursuant to the Alaskan Native Claims Settlement Act (ANCSA). Exempt distributions include:

(a) Cash (including cash dividends on stock received from a Native Corporation) to the extent it does not exceed \$2,000 total per person per anum, stock, a partnership interest, land or interest in land, and interest in a settlement trust.

.514 PL 100-383 which exempts payments received as restitution made to U.S. citizens and permanent resident aliens of Japanese ancestry.

.515 PL 100-707 which exempts federal major disaster and emergency assistance provided under the Disaster Relief Act and comparable disaster assistance provided by the state, local governments and disaster assistance organizations.

.516 PL 101-201 and PL 101-239 which exempt payments received from all Agent Orange settlements.

.517 PL 101-426 which exempts payments received under the Radiation Exposure Compensation Act.

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.518 PL 101-508 which exempts Earned Income Credit (EIC) payments for the month it is received and the following month.

HANDBOOK ENDS HERE

Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code.

Reference: Sections 10553, 10554 and 11155.5, Welfare and Institutions Code; 45 CFR 233.20(a)(4)(ii); Social Security Administration (SSA)-Action Transmittal (AT)-83-27, dated December 5, 1983; Family Support Administration (FSA)-AT-89-20, dated May 25, 1989; FSA-AT-89-22, dated June 6, 1989; FSA-AT-89-37, dated August 21, 1989; FSA-AT-90-6, dated April 11, 1990; FSA-AT-91-3, dated January 29, 1991; FSA-AT-91-5, dated February 25, 1991; Letter to Lonnie M. Carlson, State Department of Social Services, Interim Director from Susan M. Fujii, Region IX Acting Regional Administrator, U.S. Department of Health and Human Services, dated May 21, 1991; and Letter to Lonnie M. Carlson, State Department of Social Services, Interim Director from Susan M. Fujii, Region IX Acting Regional Administrator, U.S. Department of Health and Human Services, dated July 10, 1991.

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Amend Section 44-111 to repeal Sections 44-111.3(b), (d), (e), (g), (h), (i) and (p) and adopt Section 44-111.6 to read:

44-111 PAYMENTS EXCLUDED OR EXEMPT FROM CONSIDERATION AS INCOME
(Continued)

44-111

.3 Exemption of Payments from Public Sources

a. (Continued)

b. Federal Payments to Indians

- (1) Payments received from the Federal Government under Public Law 90-507 are considered personal property rather than income. (See Section 42-213/214 for treatment.)
- (2) Per capita payments made to Indians under Section 6 of Public Law 87-773 and Public Law 92-234 are exempt from consideration as either income or resources.
- (3) Per capita payments distributed pursuant to any judgment of the Indians Claims Commission or the Court of Claims in favor of any Indian Tribe are exempt. (Public Law 93-134.) (This exemption applies to anyone whose income is taken into account to determine eligibility of grant of a recipient.)
- (4) Shares of stock and money payments made to Alaskan Natives under the Alaskan Natives Claims Settlement Act are exempt. Income resulting directly from stock investments under the Act are not exempt.
- (5) Pursuant to Section 6 of Public Law 94-111, receipts derived from their lands held in trust and distributed by the Federal Government to members of the following Indian Tribes:

Tribe/ Reservation/ and State

- (a) Bad River Band of the Lake Superior Tribe of Chippewa Indians of Wisconsin.
- (b) Blackfeet Tribe/ Blackfeet/ Montana.
- (c) Cherokee Nation of Oklahoma/ Oklahoma.
- (d) Cheyenne River Sioux Tribe/ Cheyenne River/ South Dakota.
- (e) Crow Creek Sioux Tribe/ Crow Creek/ South Dakota.
- (f) Lower Brule Sioux Tribe/ Lower Brule/ South Dakota.
- (g) Devil's Lake Sioux Tribe/ Fort Totten/ North Dakota.
- (h) Fort Belknap Indian Community/ Fort Belknap/ Montana.
- (i) Assiniboine and Sioux Tribes/ Fort Peck/ Montana.
- (j) Lac Courte Oreilles Band of Lake Superior Chippewa Indians/ Lac Courte and Oreilles/ Wisconsin.

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(KY) Keweenaw Bay Indian Community/ L'Anse/ Michigan/
 (LY) Minnesota Chippewa Tribe/ White Earth/ Minnesota/
 (MY) Navajo Tribe/ Navajo/ New Mexico/
 (NY) Oglala Sioux Tribe/ Pine Ridge/ South Dakota/
 (OY) Rosebud Sioux Tribe/ Rosebud South Dakota/
 (PY) Shoshone-Bannock Tribe/ Fort Hall/ Idaho/
 (QY) Standing Rock Sioux Tribe/ Standing Rock/ North and South
 Dakota/
 (RY) Seminole Indians/ Florida/
 (SY) Pueblos of Zia and Jemez/ New Mexico/
 (TY) Stockbridge Muncie Indian Community/ Wisconsin/
 (UY) Burns Indian Colony/ Oregon/ [Reserved]

c. (Continued)

d. Compensation received by recipients 60 years old/ or older/ for volunteer services performed under the Retired Senior Volunteer Program/ the Foster Grandparents Program/ or the Older Americans Community Service Program of the National Older Americans Act/ is exempt/ [Reserved]

e. Forty percent of the first \$50 of a collection made by the county on the required support obligation which is distributed to the recipient by the county is exempt (PL 93-647)/ This section applies only to distributions of child support in September 1976 and prior months/ [Reserved]

f. (Continued)

g. Payments made under the Domestic Volunteer Services Act of 1973 to welfare recipients who are Vista Volunteers are exempt/ [Reserved]

h. The value of supplemental food assistance received under the Child Nutrition Act (WIC) and the National School Lunch Act (Public Laws 92-433 and 93-130) is exempt/ [Reserved]

i. Payments for supportive services or reimbursement of out-of-pocket expenses made to persons serving in the Service Corps of Retired Executives (SCORE) and the Active Corps of Executives (ACE) pursuant to Section 418 of Public Law 93-113 are exempt/ This exemption applies to all persons whose income is taken into account in determining the amount of an aid payment/ [Reserved]

j. (Continued)

k. (Continued)

l. (Continued)

m. (Continued)

n. (Continued)

o. (Continued)

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p. Earned income which results from a recipient/applicant's temporary employment related to the conduct of the 1980 census. This includes those employed as census takers and support staff who are hired on a temporary basis. This exemption does not apply to permanent employees of the Census Bureau. [Reserved] (Continued)

.4 (Continued)

.5 (Continued)

.6 Other income which is mandatorily and specifically exempt by federal law and shall be exempt from the effective date as specified in federal law.

HANDBOOK BEGINS HERE

.61 Income which is mandatorily exempt under federal law includes but is not limited to:

a. Public Law (PL) 92-254 or PL 94-540 which exempts any funds distributed per capita or held in trust for members of any Native American tribe under PL 92-254 or PL 94-540.

b. PL 93-134, PL 97-458 and PL 98-64 which exempt as property the funds of Native American tribes including interest earned from, investment income derived from and initial purchases made from such funds when the funds are:

(1) Distributed per capita or held in trust as a result of a judgement awarded in Indian Claims Commission or U.S. Court of Claims;

(2) Distributed by the Secretary of the Interior on a per capita basis or held in trust.

c. PL 89-73 which exempts compensation received by recipients 60 years old, or older, for volunteer services performed under the Retired Senior Volunteer Program, the Foster Grandparents Program, or the Older Americans Community Service Program of the National Older Americans Act.

d. PL 92-433 and PL 93-150 which exempt the value of supplemental food received under the Child Nutrition Act (WIC) and the National School Lunch Act.

e. PL 93-113 which exempts payments made under the Domestic Volunteer Services Act of 1973 to welfare recipients who are Vista Volunteers, and payments made for supportive services or reimbursement of out-of-pocket expenses made to persons serving in the Service Corps of Retired Executives (SCORE) and the Active Corps of Executives (ACE) pursuant to Section 418.

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- f. PL 100-241 which exempts distributions to a household, individual Native or descendent of a Native when received from a Native Corporation established pursuant to the Alaskan Native Claims Settlement Act (ANCSA). Exempt distributions include:
 - (1) Cash (including cash dividends on stock received from a Native Corporation) to the extent it does not exceed \$2,000 total per person per annum, stock, a partnership interest, land or interest in land, and interest in a settlement trust.
- g. PL 100-383 which exempts payments received as restitution made to U.S. citizens and permanent resident aliens of Japanese ancestry.
- h. PL 100-707 which exempts federal major disaster and emergency assistance provided under the Disaster Relief Act and comparable disaster assistance provided by the state, local governments and disaster assistance organizations.
- i. PL 101-201 and PL 101-239 which exempt payments received from all Agent Orange settlements.
- j. PL 101-426 which exempts payments received under the Radiation Exposure Compensation Act.
- k. PL 101-508 which exempts Earned Income Credit (EIC) payments.

HANDBOOK ENDS HERE

Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code.

Reference: Sections 10553, 10554 and 11008.15, Welfare and Institutions Code; 42 USC Section 602(g)(1)(E)(i); Section 202(a), Public Law 100-485; and 45 CFR 224.0(c); and 45 CFR 233.20(a)(4)(ii); 45 CFR 233.20(a)(11)(v)(C); and Section 11008.15/ Welfare and Institutions Code/ Social Security Administration (SSA)-Action Transmittal (AT)-83-27, dated December 5, 1983; Family Support Administration (FSA)-AT-89-20, dated May 25, 1989; FSA-AT-89-22, dated June 6, 1989; FSA-AT-89-37, dated August 21, 1989; FSA-AT-90-6, dated April 11, 1990; FSA-AT-91-3, dated January 29, 1991; FSA-AT-91-5, dated February 25, 1991; Letter to Lonnie M. Carlson, State Department of Social Services, Interim Director from Susan M. Fujii, Region IX Acting Regional Administrator, U.S. Department of Health and Human Services dated May 21, 1991; and Letter to Lonnie M. Carlson, State Department of Social Services, Interim Director from Susan M. Fujii, Region IX Acting Regional Administrator, U.S. Department of Health and Human Services dated July 10, 1991.

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Adopt Section 44-113.14 to read:

44-113 NET INCOME (Continued)

44-113

.1 Property (Continued)

.14 Deduction for an Ineligible Alien Child(ren) Living in the Home

.141 When an ineligible alien child(ren) is living with an eligible sibling, a deduction shall be allowed from the aided parent's income. The deduction shall be equal to the difference between a Minimum Basic Standard of Adequate Care (MBSAC) for the assistance unit with the ineligible alien child included, and the MBSAC for the assistance unit only. The deduction shall be reduced by the net nonexempt income, if any, of the alien child.

.142 The deduction for the ineligible alien child(ren) is allowed from the aided parent's income only when:

- (a) The ineligible alien child is not included in an Ineligible Alien Parent Unit, or
- (b) The ineligible alien parent has no income; or
- (c) The ineligible alien parent has insufficient income to meet the needs of ineligible alien child(ren) not provided for in the Ineligible Alien Parent Unit.

Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code.

Reference: Sections 10553 and 10554, Welfare and Institutions Code; 45 CFR 233.20(a)(3)(ii)(C); and Darces v. Woods.

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Amend Sections 44-133.33 and .6 to read:

44-133 TREATMENT OF INCOME -- AFDC (Continued)

44-133

.3 Income in Cases in Which a Parent or Child has been Excluded from the Assistance Unit (Continued)

.33 If a parent or child living in the home is required to apply for aid under Section 40-118 but is excluded from the assistance unit for reasons other than the provisions of Section 44-133.31, being a recipient of another program, an ineligible alien parent, or a member of a different assistance unit, a portion of his/her income is income to the assistance unit. This portion is determined as follows:
(Continued)

.336 If a parent is an ineligible alien, his/her income is treated in accordance with Section 44-133.6.

.4 (Continued)

.5 (Continued)

.6 Income In Cases Where A Stepparent Or Ineligible Alien Parent Resides In The Home

Regulations concerning income to the assistance unit from a stepparent (see Section 44-133.63 ~~below~~) apply only when the stepparent resides in the same household with the aided children or unaided unborn (see Section 44-205.26) and their parent, but neither the stepparent nor any of his/her natural or adoptive children, are in the assistance unit.

Note: When the stepparent is included in the assistance unit (see Sections 44-203 and 44-205), the total amount of his/her net nonexempt income shall be income to the assistance unit for purposes of grant and eligibility computation.

When the stepparent is not included in the assistance unit but one or more of his/her children is in the assistance unit, the stepparent is an excluded parent. See EAS Section 44-133.3 for treatment of his/her income.

An Ineligible Alien Parent means a natural or adopted parent who is not eligible for assistance because he/she does not meet the requirements of citizenship or Eligible Alien Status.

.61 Definition of Stepparent/Ineligible Alien Parent Unit

The stepparent, his/her spouse, his/her separate children and the children he/she has in common with his/her spouse, and any other persons residing in the home who may be claimed by the stepparent as dependents for federal income tax purposes are members of the stepparent unit when they are not in the assistance unit. However, the

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~~Stepparent Unit shall not include any individual who has been excluded from the assistance unit pursuant to the provisions of Section 44-133.31.~~

.611 The Stepparent/Ineligible Alien Parent Unit may include, in addition to the stepparent or ineligible alien parent, any of the following individuals related to the stepparent or ineligible alien parent:

- (a) His or her spouse;
- (b) His or her separate children; or
- (c) The child(ren) he or she has in common with his or her spouse.
 - (1) When there is insufficient income to meet the entire needs of an ineligible alien child(ren), that child(ren) shall be allocated income, if any, from the aided parent in accordance with the deduction allowed for an ineligible alien child(ren) living in the same home as provided in Section 44-113.14.

.612 Individuals who are included in the Stepparent/Ineligible Alien Parent Unit shall not:

- (a) Be required to be included in an assistance unit, or
- (b) Have been excluded from the assistance unit pursuant to the provisions of Section 44-133.31. This provision applies only to the child(ren) whose needs are not entirely met. The other child(ren), if any whose needs are entirely met shall remain in the Ineligible Alien Parent Unit and be deemed income accordingly.

.62 Needs of Stepparent/Ineligible Alien Parent Unit

When the stepparent/ineligible alien parent is excluded from the assistance unit, the county shall determine his/her ability to support the Stepparent or Ineligible Alien Parent Unit on the basis of the AFDC Minimum Basic Standard of Adequate Care (MBSAC) (Section 44-207.112) plus any special needs, if applicable. See Section 44-211. Allow disregards from the stepparent's or ineligible alien parent's gross income in accordance with Sections 44-133.63(a) through (c).

.63 Computation of Income to the Assistance Unit

.631 The stepparent's or ineligible alien parent's income deemed available to the assistance unit is determined as follows:

- (a) Determine the stepparent's or ineligible alien parent's net nonexempt income according to the provisions in Chapter 44-100.

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- (1) When determining net earned income, the stepparent or ineligible alien parent shall be entitled to the work expense disregard.
(Continued)

- (b) Deduct any amounts actually paid by the stepparent/ineligible alien parent to persons not living in the same home but who are, or could be, claimed by him/her as dependents for purposes of determining his/her federal personal income tax liability.
- (c) Deduct any child support and alimony payments made by the stepparent/ineligible alien parent to persons not living in the home.
- (d) Deduct the MBSAC amount for members of the stepparent/Ineligible Alien Parent Unit plus any special needs, if applicable. See Section 44-211.

HANDBOOK BEGINS HERE

.632 (Continued)

.633 Example: Ineligible Alien Parent Income to the AU

Computation Factors

- Ineligible Alien Parent Unit consists of two persons (ineligible alien parent and one ineligible sibling of an aided child).
- AFDC-AU consists of two persons (the eligible mother and the mother's one child).
- The ineligible alien parent earns \$900 within the month from full-time employment.
- The ineligible alien parent pays \$100 per month child support to his/her son who resides with the ineligible alien parent's ex-spouse.
- No other payments are made by the ineligible alien parent to persons living outside the home.

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Computation

\$900 gross income of ineligible alien parent
-90 less standard work expense disregard

\$810

-100 less child support paid

\$710 net income

\$710 net income

-560 less MBSAC for Ineligible Alien Parent Unit

\$150 ineligible alien parent income to the AU

HANDBOOK ENDS HERE

Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code.

Reference: Sections 10553 and 10554, Welfare and Institutions Code and 45 CFR 233.20(a)(3)(vi)(B) and (xiv).

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INSTRUCTIONS FOR IMPLEMENTATION OF FEDERALLY
MANDATED EXEMPTIONS/ALIEN REGULATIONS

GENERAL DISCUSSION

The major changes contained in this AFDC regulation revision are the following:

1. Federally mandated property and income exemptions have been updated (MPP Sections 42-213.5 and 44-111.6).
2. A new method for computing the deduction from an aided parent's countable income to meet the needs of ineligible alien children living in the home with an aided sibling has been adopted (MPP 44-113.14).
3. The method for computing deemed income to the assistance unit when ineligible alien parents with income reside with their aided child(ren) has been amended. With this change, the deemed income of the ineligible alien parent to the assistance unit will be computed by using the same methodology as the stepparent computation. The excluded person computation methodology will no longer apply to situations involving ineligible alien parents. (MPP Sections 44-133.3 and 44-133.6)

Please refer to All County Letter Nos. 91-62 and 91-68 (Ceja et al v. Carlson) for additional requirements relevant to computing income to the assistance unit from immigrants legalized under Immigration Reform and Control Act of 1986 (IRCA).

A summary of the key regulation provisions is included with this attachment.

The new regulations are effective August 1, 1991. This means commencing with the payment month of August 1991 the amended computations should be used to determine the assistance unit's countable income. The new computation of income for the aided parent(s) of ineligible alien children and the computation of ineligible alien parent income comply with the requirements of the Darces v. Woods court order. Therefore, these regulations supersede prior information and instructions implementing the Darces v. Woods court order (ACL Numbers 85-19 and 85-59). See Attachment 3 for updated Notice of Action information.

The specific instructions for the implementation of the retroactive provisions of these new regulations are at the end of this attachment.

The other provisions of this regulation package involve the exclusion of property and income as provided by Federally mandated exemptions. Most of these changes have retroactive provisions.

SUMMARY OF REGULATION CHANGES

o Federally Mandated Property Exclusions (MPP 42-213.2 & .5)

MPP 42-213.5 has been added to the regulations to provide for immediate specific property exemptions that are mandated by Federal law. In addition, Handbook Section 42-213.51 provides a reference listing of some of the Federal laws and exemptions. Included in the listing are property exemptions for Native American tribes, Alaskan Native stock and money payments, Agent Orange settlements, Radiation Exposure Compensation Act payments and Earned Income Credit (EIC) payments. The exemption applies to all property exemptions under Federal law, not just those listed in the handbook section.

MPP 42-213 has been amended to delete subsections 42-213.2(e) and (r). Those sections are no longer necessary because of the addition of the all-inclusive exemption of property in section 42-213.5.

o Federally Mandated Income Exclusions (MPP 44-111.3 and 44-111.6)

MPP 44-111.6 has been added to the regulations in order to provide for the immediate exemption of income which must be excluded under Federal law. In addition, Handbook Section 44-111.61 lists examples of income which must be excluded under Federal law. The list includes (but is not limited to) Federal public laws which require the exemption as income of certain funds distributed to Native American tribes, payments to Alaskan Natives to the extent they do not exceed \$2000 per annum, payments to VISTA volunteers, Agent Orange settlements and Earned Income Credit (EIC) payments.

MPP 44-111.3 is amended to delete various subsections that are no longer necessary because of the all-inclusive exemption of Federally mandated exemptions now included in Section 44-111.6.

o Income Deduction for Ineligible Alien Children (MPP 44-113.14)

MPP 44-113.14 has been added to the regulations to allow for a deduction from an aided parent's income to meet the needs of an ineligible alien child(ren) when the ineligible alien child(ren) live with an aided sibling.

The deduction for the ineligible alien child(ren) is allowed from the aided parent(s) income. The deduction amount is the difference between the MBSAC (plus verified special needs) for the assistance unit and the ineligible alien child(ren) and the MBSAC (plus verified special needs) of the assistance unit. The deduction is only allowed in those instances listed in MPP 44-113.142. The deduction amount must be reduced by the net nonexempt income, if any, of the child.

The new computation in MPP 44-113.14 differs from the prior Darces computation in that the new computation uses an MBSAC differential, while the Darces computation used a MAP differential methodology.

o Treatment of the Income of Ineligible Parents Who Reside with Their Aided Children (MPP 44-133.3 and .6)

The excluded person computation regulations (MPP 44-133.3) have been amended. The income of an ineligible alien parent will no longer be computed to the assistance unit using the excluded person computation.

MPP 44-133.6 (previously only applicable to excluded stepparent income situations) has been revised in order to include ineligible alien parent income situations. With this regulation change, the income of ineligible alien parent(s) deemed to the assistance unit will be computed using the same methodology currently used to compute the income of an excluded stepparent to the assistance unit. The newly revised regulations contain a definition of an ineligible alien parent and a handbook example of how an ineligible alien parent's income is computed.

o MEETING THE NEEDS OF INELIGIBLE ALIEN CHILDREN

With these regulation changes (MPP 44-113.14 and 44-133.6), there is a difference in how the "needs" of ineligible children will be determined. The treatment will depend upon whether the parent is aided or is excluded (due to alien status) from the assistance unit. As previously noted (see new section MPP 44-113.14), when the parent of an ineligible alien child is aided, the "needs" of the ineligible alien child are determined by a MBSAC differential. When an ineligible alien parent has ineligible alien children, the "needs" of the ineligible children will be considered as part of the ineligible alien unit.

In situations where there is an aided parent, an ineligible alien parent with income and an ineligible alien child in the home, the ineligible alien child's needs must be included in the ineligible parent computation (44-133.6). When an ineligible alien parent's income is insufficient to meet all of the child's needs, the income, if any, from the eligible parent must be allocated to the child's needs in accordance with MPP 44-113.14.

You must ensure that the "needs" of ineligible alien children are met before counting income as available to the assistance unit. Meeting the needs of ineligible alien children was the key provision of the Darces court order which is now being incorporated into the regulations.

RETROACTIVE PROVISIONS

Entitlement under the amended regulation provisions noted below is to be provided back to the effective date of the applicable Public Laws for otherwise eligible recipients. The following is specific information regarding Public Law provisions:

1. Public Laws 93-134, 97-458 and 98-64 became effective August 2, 1983. These laws exempt as income and property the funds of Native American tribes including interest earned from, investment income derived from and purchases made with such funds when the funds are:

a. Distributed per capita or held in trust as a result of a judgement awarded in Indian Claims Commission or U.S. Court of Claims;

b. Distributed by the Secretary of Interior on a per capita basis or held in trust.

2. Public Law 100-241 which became effective February 3, 1988 exempts stock and money payments (including cash dividends on stock received from a Native Corporation) to Alaskan Natives to the extent it does not exceed \$2000 total per person per annum.

3. Public Law 100-383 which became effective August 10, 1988 exempts payments received as restitution made to U.S. citizens and permanent resident aliens of Japanese ancestry.

4. Public Law 100-707 which became effective November 23, 1988 exempts Federal major disaster and emergency assistance provided by the Disaster Relief Act. Also, comparable disaster assistance provided by State and local governments and disaster assistance organizations is exempt as income and resources in AFDC.

5. Public Laws 101-201 and Public Law 101-239 which became effective January 1, 1989 exempts payments received from all Agent Orange settlements.

6. Public Law 101-426 which became effective October 15, 1990 exempts payments received under the Radiation Exposure Compensation Act.

7. Public Law 101-508 which became effective January 1, 1991 exempts Earned Income Tax Credit (EITC) payments for the month it is received and the following month.

The retroactive provisions of these regulations as they relate to the public laws addressed above will be implemented as follows:

1. Upon request of the recipient, or
2. At redetermination, or
3. When the County Welfare Department becomes aware that a review is needed (whichever comes first).

NOTICES OF ACTION

Two new temporary Notice of Action (NOA) messages and one permanent NA form have been developed to implement the Federal Mandated Exemptions/Alien Regulations. One NA form has been amended. The specific instructions related to these NOA messages and forms are included in this attachment. Copies of the NOA messages and forms are included with this attachment.

Notice of Action Messages

Temporary NOA message Number M44-113.14t is to be used to notify affected AFDC recipients of the change in their grant amount due to the change in the way income is computed when there are aided parent(s) with ineligible alien children in the home.

Temporary NOA message number M44-133.6At is to be used to notify affected AFDC recipients of the change in their grant due to the change in the way the deemed income of excluded ineligible alien parents is computed.

Notice of Action Forms

The NA 271 (8/91) Continuation Page - Deemed Income Computations - Cash Aid has been amended to include ineligible alien parents. Instructions for the completion of the NA 271 are included with this attachment.

No changes to the computation portion of the form have been made. The form has been changed by adding the Ineligible Alien Parent to the column heading for the three right hand columns, and a "Rules" section has been added to the lower left corner of the form.

The NA 272 (8/91) Continuation Page - Income of an Aided Parent of Ineligible Alien Children has been developed. Instructions for completion of the NA 272 are included with this attachment.

Please note that the new NOA messages and forms make the NOA message and forms developed to implement the Darces v. Woods Court Order (ACL 85-59) obsolete. Please see below for a listing of the obsolete NOA messages.

Instructions for Updating Volume I of the AFDC NOA Handbook

Section V -- English NA Forms

- o Insert the following NEW Form and Instructions Dated 8/91:
 NA 272 CONTINUATION PAGE - INCOME OF AIDED
 PARENT/INELIGIBLE ALIEN CHILD
- o Insert the following REVISED Form and Instructions Dated
 8/91 and remove the earlier versions:
 NA 271 CONTINUATION PAGE - DEEMED INCOME COMPUTATIONS
 -CASH AID

Section VII -- English Messages

- o Remove the following OBSOLETE Messages (Darces v. Woods):
 M44-207N Financial Eligibility (Undocumented Alien
 Child)
 M44-207O 185 Percent Test (Undocumented Alien Child)
 M44-207P Suspension, 185 Percent Test (Undocumented
 Alien Child)
 M44-207Q Financial Eligibility/Grant Computation
 Worksheet (Undocumented Alien)

Additional NOA Materials

The following NOA materials, included with this Attachment, are not required to be filed in the NOA Handbook:

NA 271 (SP)	Spanish version
NA 272 (SP)	Spanish version
M44-113.14t	Change - Aid Payments - Ineligible Alien Child's Needs Considered
MF44-113.14t	English NOA Form version
M44-113.14t(SP)	Spanish version
M44-133.6At	Change - Aid Payments - Ineligible Alien Parent Income
MF44-133.6At	English NOA Form version
M44-133.6At(SP)	Spanish version

Translations

The NOA materials enclosed with this letter will also be translated into Cambodian, Chinese, Lao and Vietnamese. These translations will follow under separate cover from the Language Services Bureau to the County Forms Coordinators who currently receive translated forms.

Stock

The NOA materials included with this letter will not be stocked in the DSS Warehouse because of anticipated low volume of usage. Camera ready versions of the English and Spanish NA 271 and NA 272 may be obtained by calling the DSS Forms Management Bureau at ATSS 492-8738 or (916) 322-8738.

The NA 271 presents a special situation. For the clients covered by the 5/87 version, counties may, at their discretion, continue to use that version until current stocks are exhausted. Counties may continue to order the NA 271 (5/87) version from the DSS Warehouse, and it will continue to be supplied until Warehouse stocks are exhausted.

Counties should use the 8/91 version of the the NA 271 for ineligible alien parents, when appropriate, because they are not included on the earlier version.

INSTRUCTIONS

NA 271 (8/91) Continuation Page - Deemed Income Computations
- Cash Aid

Use as a continuation of a "Page 1" NOA to show how the income of an unaided person or persons in the home, as specified in the column headings on the form, has been computed for deeming to the AFDC family.

Use when only a PART of the excluded person's income is deemed to the Assistance Unit. When ALL of the income of an excluded person is deemed to the AU, the NA 271 is not used. For example, the NA 271 would not be used for a sanctioned parent whose entire income is deemed to the AU.

Fill in the name of the individual and the month of the income that is being deemed (budget month). Fill in the sources of Other Countable Income, if any. Fill in "Basic Need for Persons" with the number of persons in the stepparent/ineligible alien parent unit, when applicable.

Complete the appropriate computations, as indicated on the form.

Living Allowance for One Person. This entry is the result of a computation in which the Minimum Basic Standard of Adequate Care (MBSAC) for the AU is subtracted from the MBSAC of an AU one person larger than the actual AU.

Basic Need for Persons. This entry is the MBSAC for the stepparent/ineligible alien parent unit.

Fill in the page number and the number of pages at the bottom of the page.

NOTICE OF ACTION

(Continued)

COUNTY OF _____

STATE OF CALIFORNIA
HEALTH AND WELFARE AGENCY
DEPARTMENT OF SOCIAL SERVICES

Notice Date: _____

Case Name: _____

Number: _____

DEEMED INCOME

Income of an Unaided Parent,
Child or Spouse of an Aided Child

Income of an Unaided Stepparent, Senior
Parent, Guardian, or Ineligible Alien Parent

Name of Unaided Person: _____

Month: _____

Total Earned Income

\$

\$

Work Expense Disregard

-

-

Dependent Care Disregard

-

Other Countable Income (List Sources)

+

+

+

+

+

+

Court Ordered Support Paid

-

Support Paid to Child or Former Spouse

-

Support Paid to Other Dependents Not in the Home

-

Countable Income

=

=

Living Allowance for One Person

-

Basic Need for _____ Persons

-

Special Needs

-

-

Income to the Aided Family Members

\$

\$

Rules: These rules apply; you may review them at your welfare office: MPP 44-133

State Hearing: If you think this action is wrong, you can ask for a hearing. The back of page 1 tells how.

INSTRUCTIONS

NA 272 (8/91) Continuation Page - Income of an Aided Parent of Ineligible Alien Children

Use as a continuation of a "Page 1" NOA to show how the income of an aided parent of ineligible alien children is computed.

Fill in the name of the parent and the month of the income that is being computed (budget month). Fill in the sources of Other Countable Income, if any. Fill in the names of the Ineligible Children and the sources of their Other Countable Income, if any.

Complete the appropriate computations, as indicated on the form.

Living Allowance for _____ Persons. Fill in the blank with the number of ineligible alien children. The dollar amount of this entry is the result of a computation in which the Minimum Basic Standard of Adequate Care (MBSAC) for the AU is subtracted from the MBSAC of an AU made up by adding the number of persons in the AU to the number of ineligible alien children.

Fill in the page number and the number of pages at the bottom of the page.

NOTICE OF ACTION

(Continued)

COUNTY OF _____

STATE OF CALIFORNIA
HEALTH AND WELFARE AGENCY
DEPARTMENT OF SOCIAL SERVICES

Notice Date _____
Case _____
Name _____
Number _____

Income of an Aided Parent of Ineligible Alien Children

Name of Parent _____
Month _____

Section A. Parent's Countable Income

Total Earned Income	\$	_____	_____	_____
Work Expense Disregard	-	_____	_____	_____
\$30 Disregard	-	_____	_____	_____
\$30 and 1/3 Disregard	-	_____	_____	_____
Dependent Care Disregard	-	_____	_____	_____
Other Countable Income (list sources)		_____	_____	_____
_____	+	_____	_____	_____
_____	+	_____	_____	_____
_____	+	_____	_____	_____
Court Ordered Support Paid	-	_____	_____	_____
Countable Income - Parent	(A) =	_____	_____	(A)

Section B. Countable Income of Ineligible Children

Name of Child _____

Total Earned Income	\$	_____	_____	_____
Work Expense Disregard	-	_____	_____	_____
Other Countable Income (list sources)		_____	_____	_____
_____	+	_____	_____	_____
_____	+	_____	_____	_____
Net Countable Income - Children	(B) =	_____	_____	(B)

Section C. Deduction From Parent's Countable Income

Living Allowance for _____ Person(s)	\$	_____	_____	_____
Net Countable Income - Children (B)	-	_____	_____	_____
Parent's Deduction (not less than \$0)	(C) =	_____	_____	(C)

Section D. Parent's Income to the Aided Family Members

Countable Income - Parent (A)	\$	_____	_____	_____
Parent's Deduction (C)	-	_____	_____	_____
Income to Aided Family Members (not less than \$0)	(D) =	_____	_____	(D)

Rules: These rules apply; you may review them at your welfare office: MPP 44-113.14.

State Hearing: If you think this action is wrong, you can ask for a hearing. The back of page 1 tells how.

State of California
Department of Social Services

Manual msg. No.: M44-113.14t
Action : Change
Reason: Aid Payments
Title: Ineligible Alien Child's
Needs Considered
Form No. : NA200
Effective Date : 8-1-91, new
Revision Date :

Auto ID No. :
Flow Chart No. :
Source : Ineligible Aliens
Regulation Cite: 44-113.14

MESSAGE: As of _____, the County is changing your cash aid from \$_____ to \$_____.

Here's why:

On August 1, 1991, a change in the law changed the way the income of aided parent(s) is figured so as to allow for the needs of their ineligible alien children.

This income is figured on Page _____. The parent's income is lowered by a living allowance for the ineligible alien children. The living allowance is lowered by the income, if any, of these ineligible children.

Your new cash aid amount is figured on this notice.

INSTRUCTIONS: This is a temporary notice, to be used for continuing cases on retrospective budgeting. It notifies clients of a change in the grant amount due to the change in the law effective August 1, 1991.

Use this notice when the grant amount changes due to an aided parent's income being used to meet the needs of ineligible alien children. Fill in the effective date of the action along with the old grant amount and the new grant amount. Calculate the amount of the aided parent's income to the AU using the new NA 272 Continuation page.

Attach the NA 272 to the NA 200.

State of California
Department of Social Services

Manual msg. No.: M44-133.6At
Action : Change
Reason: Aid Payments
Title: Ineligible Alien
Parent Income
Form No. : NA200
Effective Date : 8-1-91, new
Revision Date :

Auto ID No. :
Flow Chart No. :
Source : Ineligible Aliens
Regulation Cite: 44-133.6

MESSAGE: As of _____, the County is changing your cash aid from \$_____ to \$_____.

Here's why:

On August 1, 1991, a change in the law changed the way income is figured for ineligible alien parents in the home.

The amount of income of the ineligible alien parent(s) in your home is figured on Page ____.

Your new cash aid amount is figured on this notice.

INSTRUCTIONS: This is a temporary notice, to be used for continuing cases on retrospective budgeting. It notifies clients of a change in the grant amount due to the change in the law effective August 1, 1991.

Use this notice when the grant amount changes due to an ineligible alien parent's income being used to compute the grant amount. Fill in the effective date of the action along with the old grant amount and the new grant amount. Calculate the amount of the ineligible alien parent's income to the AU using the NA 271 Continuation page.

Attach the NA 271 to the NA 200.

NOTICE OF ACTION

COUNTY OF _____

STATE OF CALIFORNIA
HEALTH AND WELFARE AGENCY
DEPARTMENT OF SOCIAL SERVICES

Notice Date : _____
Case Name : _____
Number : _____
Worker Name : _____
Number : _____
Telephone : _____
Address : _____

(ADDRESSEE)

Questions? Ask your Worker.

State Hearing: If you think this action is wrong, you can ask for a hearing. The back of this page tells how. Your benefits may not be changed if you ask for a hearing before this action takes place.

As of _____, the County is changing your cash aid from \$ _____ to \$ _____.

Here's why:

On August 1, 1991, a change in the law changed the way the income of aided parent(s) is figured so as to allow for the needs of their ineligible alien children.

This income is figured on Page _____. The parent's income is lowered by a living allowance for the ineligible alien children. The living allowance is lowered by the income, if any, of these ineligible children.

Your new cash aid amount is figured on this notice.

Monthly Cash Aid Amount

Section A	Your Countable Income in	(MONTH)
Total Earned Income	\$	_____
Work Expense Disregard	-	_____
\$30 Disregard	-	_____
\$30 and 1/3 Disregard	-	_____
Dependent Care Disregard	-	_____
Other Countable Income (list sources)		_____
	+	_____
	+	_____
	+	_____
Court Ordered Support Paid	-	_____
Net Countable Income	=	_____

Section B	Your Cash Aid In	(MONTH)
1. Basic Need for _____ Persons	\$	_____
2. Special Needs	+	_____
3. Subtotal	=	_____
4. Net Countable Income	-	_____
5. Subtotal A	=	_____
6. Maximum Aid for _____ Persons	\$	_____
7. Special Needs	+	_____
8. Subtotal B	\$	_____
9. Cash Aid Amount (Lesser of Subtotal A or B)	\$	_____
10. Overpayment adjustment (separate page)	-	_____
11. Monthly Cash aid Amount	\$	_____

Rules: These rules apply; you may review them at your welfare office: MPP 44-113.14

NOTICE OF ACTION

COUNTY OF _____

STATE OF CALIFORNIA
HEALTH AND WELFARE AGENCY
DEPARTMENT OF SOCIAL SERVICES

Notice Date _____
Case Name _____
Number _____
Worker Name _____
Number _____
Telephone _____
Address _____

(ADDRESSEE)

Questions? Ask your Worker.

State Hearing: If you think this action is wrong, you can ask for a hearing. The back of this page tells how. Your benefits may not be changed if you ask for a hearing before this action takes place.

As of _____, the County is changing your cash aid from \$ _____ to \$ _____.

Here's why:

On August 1, 1991, a change in the law changed the way income is figured for ineligible alien parents in the home.

The amount of income of the ineligible alien parent(s) in your home is figured on Page _____.

Your new cash aid amount is figured on this notice.

Monthly Cash Aid Amount

Section A	Your Countable Income in _____ (MONTH)
Total Earned Income	\$ _____
Work Expense Disregard	- _____
\$30 Disregard	- _____
\$30 and 1/3 Disregard	- _____
Dependent Care Disregard	- _____
Other Countable Income (list sources)	_____
	+
	+
	+
Court Ordered Support Paid	- _____
Net Countable Income	= _____

Section B	Your Cash Aid In _____ (MONTH)
1. Basic Need for _____ Persons	\$ _____
2. Special Needs	+ _____
3. Subtotal	= _____
4. Net Countable Income	- _____
5. Subtotal A	= _____
6. Maximum Aid for _____ Persons	\$ _____
7. Special Needs	+ _____
8. Subtotal B	\$ _____
9. Cash Aid Amount (Lesser of Subtotal A or B)	\$ _____
10. Overpayment adjustment (separate page)	- _____
11. Monthly Cash aid Amount	\$ _____

Rules: These rules apply; you may review them at your welfare office: MPP 44-113.6

NOTIFICACION DE ACCION

CONDADO DE

STATE OF CALIFORNIA
HEALTH AND WELFARE AGENCY
DEPARTMENT OF SOCIAL SERVICES

(Continuación)

Fecha de la notificación _____
Nombre _____
del caso _____
Número _____

CANTIDADES QUE SE CONSIDERAN COMO INGRESOS RECIBIDOS

	Ingresos del padre/madre que no recibe asistencia, menor, o esposa(o) de un hijo(a) que recibe asistencia			Ingresos del padrastro/madrastra que no recibe asistencia, padre/madre mayor, tutor legal, o padre/madre extranjero que no reúne los requisitos		
Nombre de la persona que no recibe asistencia	_____	_____	_____	_____	_____	_____
Mes	_____	_____	_____	_____	_____	_____
Total de ingresos ganados	\$	_____	_____	\$	_____	_____
Deducción por gastos de trabajo	-	_____	_____	-	_____	_____
Deducción por personas a su cargo	-	_____	_____		_____	_____
Otros ingresos contables (Anote las fuentes)						
_____	+	_____	_____	+	_____	_____
_____	+	_____	_____	+	_____	_____
_____	+	_____	_____	+	_____	_____
Pago de mantenimiento ordenado por la corte	-	_____	_____		_____	_____
Mantenimiento que se paga al niño(a) o a la esposa(o) anterior				-	_____	_____
Mantenimiento que se paga por otras personas a su cargo que no están en el hogar				-	_____	_____
Ingresos contables	\$	_____	_____	\$	_____	_____
Asignación para vivir para una persona	-	_____	_____		_____	_____
Necesidades básicas para _____ personas				-	_____	_____
Necesidades especiales	-	_____	_____	-	_____	_____
Ingresos para los miembros de la familia que reciben asistencia	\$	_____	_____	\$	_____	_____

Reglamentos. Estos ordenamientos aplican; puede consultarlos en
su oficina de bienestar: MPP 44-133

Audiencia con el estado: Si cree que esta acción está
equivocada, puede pedir una audiencia. El reverso de la página 1
le explica cómo hacerlo.

NOTIFICACION DE ACCION

CONDADO DE

STATE OF CALIFORNIA
HEALTH AND WELFARE AGENCY
DEPARTMENT OF SOCIAL SERVICES

(Continuación)

Fecha de la notificación _____
Nombre _____
del caso _____
Número _____

**Ingresos del padre/madre que recibe asistencia cuyos
niños extranjeros que no reúnen los requisitos**

Nombre del padre/madre _____
Mes _____

Sección A. Ingresos contables del padre/madre

Total de ingresos ganados	\$	_____	_____	_____
Deducción por gastos de trabajo	-	_____	_____	_____
Deducción de \$30	-	_____	_____	_____
Deducción de \$30 y 1/3	-	_____	_____	_____
Deducción por personas a su cargo	-	_____	_____	_____
Otros ingresos contables (Anote las fuentes)		_____	_____	_____
	+	_____	_____	_____
	+	_____	_____	_____
	+	_____	_____	_____
Pago de mantenimiento ordenado por la corte	-	_____	_____	_____
Ingresos contables - Padre/madre	(A) =	_____	_____	(A)

Sección B. Ingresos contables de los niños que no reúnen los requisitos

Nombre del niño _____

Total de ingresos ganados	\$	_____	_____	_____
Deducción por gastos de trabajo	-	_____	_____	_____
Otros ingresos contables (Anote las fuentes)		_____	_____	_____
	+	_____	_____	_____
	+	_____	_____	_____
Ingresos netos contables - Niños	(B) =	_____	_____	(B)

Sección C. Deducción de los ingresos contables del padre/madre

Asignación para vivir para _____ persona(s)	\$	_____	_____	_____
Ingresos netos contables - Niños (B)	-	_____	_____	_____
Deducción del padre/madre (no menos de \$0)	(C) =	_____	_____	(C)

Sección D. Ingresos del padre/madre para los miem- bros de la familia que reciben asistencia

Ingresos contables - Padre/madre (A)	\$	_____	_____	_____
Deducción del padre/madre (C)	-	_____	_____	_____
Ingresos para los miembros del hogar que reciben asistencia (no menos de \$0)	(D) = \$	_____	_____	(D)

Reglamentos. Estos ordenamientos aplican; puede consultarlos en
su oficina de bienestar: MPP 44-113.14.

Audiencia con el estado. Si cree que esta acción está
equivocada, puede pedir una audiencia. El reverso de la página
1 le explica cómo hacerlo.

NOTIFICACION DE ACCION

CONDADO DE _____

STATE OF CALIFORNIA
HEALTH AND WELFARE AGENCY
DEPARTMENT OF SOCIAL SERVICES

Fecha de la notificación : _____
Nombre del caso : _____
Número : _____
Nombre del trabajador(a) : _____
Número : _____
Teléfono : _____
Dirección : _____

(DESTINATARIO)

¿Tiene preguntas? Comuníquese con su trabajador(a).

Audiencia con el estado: Si usted cree que esta acción está equivocada, puede solicitar una audiencia. En el reverso de esta hoja se le explica cómo hacerlo. Es posible que sus beneficios no cambien si usted solicita una audiencia antes que esta acción entre en vigor.

A partir de _____, el condado cambiará su asistencia monetaria de \$ _____ a \$ _____

La razón es la siguiente:

El 1 de agosto de 1991, una modificación en la ley, cambió la manera en que se calculan los ingresos de los padres que reciben asistencia, para permitir las necesidades de sus hijos extranjeros que no reúnen los requisitos.

En la página _____ se calculan estos ingresos. Los ingresos de los padres son reducidos por una asignación para vivir para los niños extranjeros que no reúnen los requisitos. La asignación para vivir es reducida por los ingresos, si los hay, de estos niños que no reúnen los requisitos.

En esta notificación se calcula su nueva cantidad de asistencia monetaria.

Cantidad de la asistencia monetaria mensual

Sección A	Sus ingresos contables en _____ (MES)
Total de ingresos ganados	\$ _____
Deducción por gastos de trabajo	- _____
Deducción de \$30	- _____
Deducción de \$30 y 1/3	- _____
Deducción por cuidado de personas a su cargo	- _____
Otros ingresos contables (enumere las fuentes)	_____ + _____
	_____ + _____
	_____ + _____
Mantenimiento pagado ordenado por la corte	- _____
Ingresos netos contables	= _____

Sección B	Su asistencia monetaria en _____ (MES)
1. Nec. básicas para _____ personas	\$ _____
2. Necesidades especiales	+ _____
3. Subtotal	= _____
4. Ingresos netos contables	- _____
5. Subtotal A	= _____
6. Asist. máxima para _____ personas	\$ _____
7. Necesidades especiales	+ _____
8. Subtotal B	\$ _____
9. Cantidad de asistencia monetaria (Lo que sea menos de Subtotal A o B)	\$ _____
10. Ajuste por pago excesivo (hoja por separado)	- _____
11. Cant. de la asist. monetaria mensual	\$ _____

Reglamentos. Estos ordenamientos aplican; usted puede consultarlos en su oficina de bienestar: MPP 44-113.14

NOTIFICACION DE ACCION

CONDADO DE _____

STATE OF CALIFORNIA
HEALTH AND WELFARE AGENCY
DEPARTMENT OF SOCIAL SERVICES

Fecha de la notificación : _____
Nombre del caso : _____
Número : _____
Nombre del trabajador(a) : _____
Número : _____
Teléfono : _____
Dirección : _____

(DESTINATARIO)

¿Tiene preguntas? Comuníquese con su . abajador(a).

Audiencia con el estado: Si usted cree que esta acción está equivocada, puede solicitar una audiencia. En el reverso de esta hoja se le explica cómo hacerlo. Es posible que sus beneficios no cambien si usted solicita una audiencia antes que esta acción entre en vigor.

A partir de _____, el condado cambiará su asistencia monetaria de \$ _____ a \$ _____

La razón es la siguiente:

El 1 de agosto de 1991, una modificación en la ley, cambió la manera en que se calculan los ingresos de los padres extranjeros que viven en el hogar y que no reúnen los requisitos.

En la página _____ se calcula la cantidad de ingresos de los padres extranjeros que no reúnen los requisitos que viven en el hogar de usted.

En esta notificación se calcula su nueva cantidad de asistencia monetaria.

Cantidad de la asistencia monetaria mensual

Sección A Sus ingresos contables en _____ (MES)

Total de ingresos ganados	\$	_____
Deducción por gastos de trabajo	-	_____
Deducción de \$30	-	_____
Deducción de \$30 y 1/3	-	_____
Deducción por cuidado de personas a su cargo	-	_____
Otros ingresos contables (enumere las fuentes)		_____
	+	_____
	+	_____
	+	_____
Mantenimiento pagado ordenado por la corte	-	_____
Ingresos netos contables	=	_____

Sección B Su asistencia monetaria en _____ (MES)

1. Nec. básicas para _____ personas	\$	_____
2. Necesidades especiales	+	_____
3. Subtotal	=	_____
4. Ingresos netos contables	-	_____
5. Subtotal A	=	_____
6. Asist. máxima para _____ personas	\$	_____
7. Necesidades especiales	+	_____
8. Subtotal B	\$	_____
9. Cantidad de asistencia monetaria (Lo que sea menos de Subtotal A o B)	\$	_____
10. Ajuste por pago excesivo (hoja por separado)	-	_____
11. Cant. de la asist. monetaria mensual	\$	_____

Reglamentos. Estos ordenamientos aplican; usted puede consultarlos en su oficina de bienestar: MPP 44-133.6